

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

CITY OF HATTIESBURG

PLAINTIFF

V.

NO. 2:13-cv-208-KS-MTP

HERCULES, INC., ET AL.

DEFENDANTS

**HERCULES INCORPORATED'S
MOTION TO EXCLUDE TESTIMONY OF KEVIN BOYLE**

Hercules Incorporated ("Hercules") moves the Court to exclude the testimony of Kevin Boyle on the grounds explained in its separately filed Memorandum of Law. Hercules relies on the following evidence to support its motion:

- Exhibit 1: Deposition Transcript of Kevin Boyle.
- Exhibit 2: Expert Report of Kevin Boyle.
- Exhibit 3: Excerpts from Expert Report of Dave Angle.
- Exhibit 4: A Meta-Analysis of the Effect of Environmental Contamination and Positive Amenities on Residential Real Estate Values.
- Exhibit 5: Plaintiff Damages Theories in Property Diminution Cases.
- Exhibit 6: Externality Effects of Small-Scale Hazardous Waste Sites: Evidence from Urban Commercial Property Markets.
- Exhibit 7: Expert Report of Jerry Dent.
- Exhibit 8: Memorandum in Support of Motion to Exclude Testimony of Joe Parker.
- Exhibit 9: Expert Report of Stan Lightsey.
- Exhibit 10: Memorandum Opinion and Order.
- Exhibit 11: Expert Opinion Based on Meta-Analysis Rejected as Basis For Determining Property Value Diminution Due to Alleged Contamination.
- Exhibit 12: Environmental Contamination and Industrial Real Estate Prices.

- Exhibit 13: Does the Measurement of Environmental Quality Affect Implicit Prices Estimated from Hedonic Models.
- Exhibit 14: An Hedonic Analysis of the Effects of Lake Water Clarity.
- Exhibit 15: Appraisal Institute Guide Note 6.
- Exhibit 16: The Appraisal Foundation Advisory Opinion 9.

This, the 1st day of April, 2016.

Respectfully submitted,

HERCULES INCORPORATED

By Its Attorneys,
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.

By: /s/William N. Reed
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the ECF system, which served a copy upon registered participants.

This the 1st day of April, 2016.

/s/William N. Reed
WILLIAM N. REED